

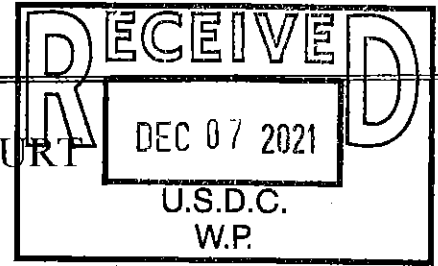
Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Division



Lucio Celli

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

New York Department of Education, Sabrina Cook,
Mayor DeBlasio, Speaker Johnson, Law
Department/Corporation Counsel, Sen. Schumer, and
Shannon Hamilton-Kopplin

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

(to be filled in by the Clerk's Office)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Lucio Celli
Street Address	89 Widmer Road
City and County	Wappingers Falls
State and Zip Code	New York 12590
Telephone Number	718-547-9675
E-mail Address	

E-mail Address (if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

1st, 4th, 5th, 6th, and 14th

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff. (name) Lucio Celli is a citizen of the
State of (name) New York.

b. If the plaintiff is a corporation

The plaintiff. (name) _____ is incorporated
under the laws of the State of (name) _____
and has its principal place of business in the State of (name)
_____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant. (name) NYCDOE, Cook Mayor Speaker Schumer is a citizen of

204 to present, but the criminal case began on 11/14/18

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

see attachments with documents under seal in 19-cr-00127
 17-cv-00234. 2d
 18-cv-03230 2d
 21-mc-01760. 2d
 15-cv-03679
 17-cv-02239

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

I will not have a fair trial in a civil tribunal that is based on facts and events that happened in criminal court

Basically, Randi Weingarten wants to hide what I have audio recorded, hide the fact the Judge Cogan helped his former clients (the UFT), hide the fact that she and Betsy Combier harrassed me with the help of Schumer's judge, and the fact that Betsy played an audio recording of Randi paying Judge Marrero, which was not in discovery

Sen. Schumer and his judge deprived me of ALL my consitutional rights and now the remedy is to have a trial that was denied to me and even stream it live because Randi Weignarten and Betsy Combier wanted me to be ashamed about being raped and getting HIV

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Lucio Celli
89 Widmer Road
Wappingers Falls, New York 12590
718-547-9675

UNITED STATES COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

LUCIO CELLI,
Plaintiff,

vs.

New York City Department of Education,
Mayor DeBlasio, Speaker Johnson, Law
Dept/Corporation Counsel, Sen. Schumer, and
Shannon Hamilton-Kopplin

Case No.:
INJUNCTION

SDNY CASE NO:

I request relief from Judge Engelmayer's inaction (because Randi Weingarten paid him¹—like Judge Marrero, and Sen. Schumer is the middleman because he feels that Randi is like his sister. Also, it took Judge Engelmayer months to admit Sen. Schumer recommended him to Pres. Obama—I guess, I was not crazy and stupid after all). I make this request pursuant to:

As for my first request, I request that the state and NYC DOE not be allowed to take any steps, as they relate to the matter in the appeals, against me until Judge Engelmayer and the Court of Appeal makes their determination because my claims are based on structural errors, like choice of lawyer and my conviction will (should) be reversed--if Randi does not bribe anyone, as usual and/or Sen. Schumer does not influence anyone for his sister, Randi.

Or and my preference, I want an order that my 3020-a hearing be streamed live. At the hearing, I want everyone that I emailed (which Mr. Silverman lied about) present with Shannon

¹ I do not know this as a fact, but I did hear Randi pay Judge Marrero, who is a Schumer judge, and it fits into the narrative that I wanted/envisioned when I emailed Sen. Schumer in December of 2017 and then the judges in March of 2018 because Randi is predictable

Hamilton-Kopplin of the Senate Ethics committee, Sen. Schumer (of course), and the others from the DOJ who answered my letters. If this matter is litigated at 3020-a hearing, then there is no need for an appeal because I get Randi, Betsy and the Schumer judges who harmed me for Randi.

Also, order Mr. Silverman to send my papers to the DOJ

I am sending this to all senators, and I ask if anyone would like to testify at my 3020-a hearing **because** what Sen. Schumer did for Randi Weingarten and Betsy Combier is the exact conduct that he wanted Pres. Trump impeached for.

To AG Garland/Pres. Biden:²

You know, as a former judge, that the government needs to protect the integrity. I ask that you allow/force all AUSAs, who spoke to me or wrote to me, to appear at my 3020-a without a court order.

I do not question discretion, but I question the views on facts as I have AUSAs who said that EDNY deprived me due process of law, which cause my liberty to be taken away.

There are not 2 DOJ's for facts, but there are many different discretions at the DOJ, and I must accept discretions without questioning it. I have AUSAs who told me that I was deprived of liberty because of Judge Cogan, as all procedural safeguards were not given to me—which are described in Bail Reform Act and the Salerno case. To be frank, I was not given ANY procedural safeguards and everyone else understood, but the IG's office stated nothing happened (the gist of the letter) or my takeaway

² Taking Clause Clause

In determining whether to grant a preliminary injunction or temporary restraining order, a court must examine and weigh four factors: (1) whether the moving party has shown a strong likelihood of success on the merits; (2) whether the moving party will suffer irreparable harm if the injunction is not issued; (3) whether the issuance of the injunction would cause substantial harm to others; and (4) whether the public interest would be served by issuing the injunction.

Overstreet v. Lexington-Fayette Urban County Government, 305 F.3d 566, 573 (6th Cir. 2002); *McPherson v. Michigan High School Athletic Ass'n*, 119 F.3d 453, 459 (6th Cir. 1997) (*en banc*). “These factors are not prerequisites but are factors that are to be balanced against each other.” *Overstreet*, 305 F.3d at 573.

I believe what is below the line will be enough to meet the requirements from above. However, I ask to fully develop the argument, but I am without my regular computer.

Facts:

1. My structural errors are more than valid, and I have letters supporting my ineffective assistance claim from the DOJ, which is the REASON I did not want Mr. Silverman as a choice of lawyer and choice of lawyer is structural error
2. NYS policy, in terms of conviction, that teacher will be restored to his/her rights and position prior to conviction and providing that the conviction is overturned, and I do not have the NYS ED paper provides the full description, but Mr. Greene has my computer
3. Transcripts are not either fully develop or accurate or there are obvious omissions (which I believe were made intentionally)
4. My employer cannot make an accurate decision because the record does not have my plea was a product of intimidation or reasons my lawyers were ineffective, as examples
5. I would have gone to trial if I was not intimidated because my intent was to get justice for what the UFT and DOE has done to me with the fact that the judges helped Randi Weingarten and the UFT
6. 3020-a hearing will focus on my intent

7. I will not have a neutral arbitrator because the DOE and the UFT both must agree upon the arbitrator
8. Arbitrators make over 1,500 dollars a day
9. Therefore, the arbitrators will decide my case based on their finical needs
10. I do not my computer, but there is a Supreme Court case for arbitrators that deal with the issue of Tumey v. Ohio (like finical issues), but please accept this case Commonwealth Coatings Corp. v Continental Casualty Co, 393 US 145 (1968) for impression of arbitrator³
11. The award will be procured by corruption, fraud, or “undue means”—the only way Randi Weingarten knows how to win
12. Mr. Silverman was not my choice for lawyer, which is a structural error
13. Mr. Silverman and Judge Engelmayer denied me a defense of my choice and my intent, which are structural errors
14. Judge Engelmayer was biased as he forgot the requirements to convict, see Tumey v. Ohio
15. I should prevail on appeal for my conviction of my criminal case, but this should be if Randi Weingarten or Sen. Schumer does not interfere with the decision making of the appeal—like all the other judges that I had
16. NYC DOE has not based their decisions of employment as required by NY Correction Law Art 23-a because I did not receive my retro money
17. According to Renee Campion (Commissioner of Labor Relations for NYC) and Alan Klinger, Esq of Strook, Strook, and Lavin, the CBA did not change NYC’s Personnel Rules and Regulations: Rule 6.2.4 and that they apply to the CBA between the UFT and NYC (NYC’s administrative statute)
18. Judge Donnelly (Schumer) said, “be happy that you still have a job” and Judge Engelmayer (Schumer) said, “you will not get justice here,” but Randi paid Judge Marrero (Schumer judge) and Betsy Combier has the audio recording
19. Sen. Schumer said that Randi Weingarten is like a sister to him

³ The case that I speak about it a three panel arbitrator team

20. Labor Relations for NYC and Strook, Strook, and Lavin are the agents who negotiate the contract, so they are the ones who TRULY understand the construction of the CBA
21. Peter Zucker read Judge Cogan's opinion (Doc. No. 37) 3 hours prior to it being posted on pacer.gov and then months later, he told me that he met with Betsy Combier, Randi Weingarten, Judge Cogan, and Randi Weingarten
 - a. I cannot prove that he met with said people
 - b. I can only prove what he said to me
 - c. How did Peter know what Judge Cogan was going to write BEFORE it was posted for the public to see?
 - d. I never received any exculpatory evidence from the DOJ on this issue, which I told my lawyers to ask
22. My lawsuit cited briefs from Strook and one of them was written by Judge Cogan, who worked at Strook with Randi Weingarten
23. It is court's policy (state and federal) to enforce arbitration decisions and my issues all stemmed from these decisions that were denied to me
24. NYC Personnel Rules and Regulations: Rule 6.2.4 states a break of service is anything above a year
25. I was denied retro payment because I was detained for 5 months; therefore, I did not have a break in service like the DOE and UFT told me
26. Shakira Price was detained after supposedly killing someone with a car (in the newspaper), but she received her retro money (she told me)
27. The DOE knew of my arrest prior to the US Marshalls filing a criminal complaint and sent a letter cutting off my health benefits
28. The DOE and the UFT called me on July 20, 2021 about my plea, which was a product of intimidation by Judge Engelmayer
29. The DOE is mad that I have documented the fact they screwed up with an AP smoking weed and not interviewing me, as the DOE brought up the ap on AP on sexual misconduct charges
 - a. DOE muted my microphone, and it is on their website
 - b. The DOE sent NYPD to threaten me to stay away from public meetings

30. The DOE and the UFT are mad at the fact that I have everything audio recorded and now, I have AUSAs to back me for what they have done to me
31. I called AUSAs, like Gold and Shaw, because the EDNY said nothing was wrong and nothing happened to me (paraphrased of AUSA Bensing's statement from February 5, 2019)
32. Please see 17-cv-00234, 18-cv-03230, 21-mc-01760, 19-cr-00127, 15-cv-03679, 17-cv-02239, documents under seal, and look at your own emails (the same ones sent to Sen. Schumer
33. Betsy Combier told me, prior to filing my lawsuit, that "if you continue to attack the UFT, Randi will be vindictive towards you, like what she did to the teachers in Teachers4action because she will find a way," which will we all know was a Judge Marrero case
34. Cathy Battle told me on the phone that if I continued with the lawsuit that the UFT would expose my rape, which was the emails that I sent to the UFT. And then, the pos the courage and pure GALL to allude to it at PERB and mentioned to DOJ in an email that Mr. Hueston said shit.

Below the line is a motion that Judge Engelmayer did not answer and is under seal because Randi Weingarten paid him because my employer will discipline me for what occurred in court and Judge Engelmayer committed a crime when he used his office for Sen. Schumer and Randi Weingarten because they were part of my intent.

Dear Judge Engelmayer, Ms. Karamgios, Mr. Silverman, and Ms. Silverman.

Re: Since Your Honor deprived me of my own defense and my own intent. I request the following remedy; as what happened at bail hearings and plea proceeding, they will affect me at Ed. Law 3020-a hearing and the decision the DOE must make under NY Correction Law Art 23-a.

As I attempted to raise numerous times to my lawyers and judges, the fact that the bail/detention hearing effected substantial rights, which is liberty. **See** US v. Salerno, 481 US 739. In Salerno, the Court explained that Bail Reform Act was meant to protect the substantive right of liberty because the said act provided procedural safeguards so that government would not abuse the use of denial of bail and wrongly placed the accused under detention.

If Your Honor denies me this request; then I want to contact the Judicial Conference and 2d. Cir. under 28 USC § 2106

Again: Please Take Notice, I was deprived of all procedural safeguards mentioned in Bail Reform Act of 1984 and reiterated in US v. Salerno—everyone else sees it outside the 2d. Cir. because the way I have explained is the same.

THERE CANNOT be two realities and people understand me when I speak to people outside of the 2d. Cir. In addition, they were kind enough to provide advice to me on many issues that has been ignored by own lawyers.

Please Take Further Notice, the Court was clear, in Salerno, how the procedural safeguards in the Bail Reform Act of 1984 were meant to protect substantive right of liberty, which are protected by the Fifth Amendment and Fourteen Amendment of the Due Process Clause

Please Take Even Further Notice, I was prevented from litigating my substantive right of liberty by my own lawyers.

I. Facts never presented at any bail hearing:

1. The US Marshalls did not believe that I was a danger to anyone
2. The US Marshalls wrote that I was a nuisance in their report
3. The US Marshalls told me that they waited to pick me up because I was not a danger to anyone, on 11/14/18
4. The judge took their sweet time to report the emails and never said that they were in fear of the times either
5. The AUSAs took over a year and half to produce the email from a judge. (if there are others, I have not looked at discovery)
 - a. Request was made on 12/21/19
 - b. The requested email, under protective order, was handed over on April 12, 2021
6. I informed each of my lawyers and the information was sent in an email sent to AUSA Bensing with other DOJ personnel that in US v. McCrudden, cr-11-061, Judge Hurely explains that how the US Marshalls responded to a supposed threat against a judge and the time it took the US Marshalls to contact the suspect are items to consider not detaining someone
7. Then, Judge Hurely explains that the amount of time the judges took to inform the US Marshalls is also another fact to consider whether to detain someone or not.
8. Your Honor asked the government to produce a statement about the bail hearing and AUSA Karamigios never did as Your Honor ordered.

9. Mr. Silverman said the time has passed to get a letter from AUSA Karamigios, but it only has passed, if Mr. Silverman does not provide Your Honor with a chance to answer or order AUSA Karamigios to file the letter.
10. The time has not passed because what happened will affect my job. I will explain how it will explain below.
11. Mr. Silverman knew, like my other lawyers, the US Marshalls wrote a report saying that I was not a danger to anyone but a nuisance, like the US Marshalls told me on 11/14/18.

II. Ex Parte Conference

As I explained to Your Honor on April 16, 2021 and in the ex parte letters, AUSA Shaw told me to file a criminal complaint against my lawyers, who were, at the time that I spoke to her, Olivera, Weil, Hueston, and Taylor because they failed to present evidence and ask for new bail hearing. I feel that Your Honor prevents me from litigating my claims of ineffective assistance of counsel, so that I cannot claim Cronic or structural error or sue my lawyers. **Please Note**, the 1st and 2nd Departments told me to sue my lawyers because they know that they were harming me at the bail hearings and it will affect my job.

III. The way the DOE will use the information from the Bail Hearing

The DOE will use the bail hearing, where Magistrate Scanlon denied me bail because I was danger to the community, as means to use it in at the 3020-a arbitration hearing. The arbitrator could read what the US Marshalls wrote, but the arbitrator will never hear the fact my lawyers, including Mr.

Silverman, willfully excluded any evidence that I was not a danger to the community and the US Marshalls believed that I was not a danger to anyone.

As the transcripts will show, Judge Donnelly and Your Honor praised my lawyers. It is obvious that judges' opinion is weighed more than someone from the DOJ, AUSA Gold or AUSA Shaw.

I. Correction Law Article 23-a

The following is the way the constitutional violations of the Bail/Detention hearing will affect my job, which I property interest as teacher. If Your Honor does not know, correction Law Art. 23-a is the mode employers make decisions about employees with convictions. I need Your Honor to carefully read 3(h) below because it deals with the fact that I was prevented from litigating the fact that I was not a danger to the community.

Your Honor remained silent or ignored the fact that I have AUSA Shaw telling me to file a criminal complaint against my previous lawyers at the ex parte conference, which I did with AUSA Bensing. Please see ex parte motions and transcript. Your Honor did not express anything, so I do not know how to classify lack of action.

a. The Following are the items that the DOE needed to consider for retro money and for whether to file charges under Ed Law 3020-a

1. Article 23-A requires employers to evaluate qualified job seekers and current employees with conviction histories fairly and on a case-by-case basis. The law specifies eight

factors that employers must consider when evaluating an applicant with a prior conviction.

2. NY Correction Law requires the following actions to occur:

- a. Section 750. Definitions
- b. 751 Applicability
- c. 752 Unfair discrimination against persons previously convicted of one
- d. Or more criminal offenses prohibited.
- e. 753 Factors to be considered concerning a previous criminal
- f. Conviction; presumption.
- g. **754. Written statement.**
- h. 755 Enforcement.

3. Items that NYS Employers must consider when hiring or firing someone with convictions:

- a. New York State's public policy of encouraging the employment of persons with prior convictions.
- b. The specific duties and responsibilities necessarily related to the license or employment sought.
- c. The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his ability to perform one or more such duties or responsibilities.
- d. The time which has elapsed since the occurrence of the criminal offense or offenses.
- e. The age of the person at the time of the occurrence of the criminal offense or offenses.
- f. The seriousness of the offense or offenses.
- g. Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

h. The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

4. Obviously, I can meet "g" (which is mentioned above): Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

I am not worried about presenting evidence of "g"

5. But "g" does not replace the order that I was detained because of being dangerous to the community, as my lawyers intentionally failed to present evidence of what the US Marshalls wrote (I was a nuisance and not dangerous) or obtain from the DOJ that the judge took over two weeks to report the threat.

6. It is "h" the DOE will cite: "The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public" because I never got the chance to litigate the facts, I was not a danger to anyone (according to the US Marshalls) and given exculpatory evidence by the DOJ to show that the judge took their sweet time reporting my emails.

As Your Honor knows that it will be beyond difficult to overcome an order from the court saying that I am a danger to the community. I work with children and there are various statutes and various constitutional theories where the state must protect the public.

This is all understandable, but I would have been in a better position, if I would have been allowed to present evidence that I was not a danger to the community

7. A court saying that someone is a danger to the community is a powerful statement for the DOE to use against me, but I was denied the opportunity to present a defense where I would have litigated the fact that I was not a danger within the meaning of the Bail Reform Act of 1984 because the US Marshalls' report would have ruled out dangerous with the amount of time the judges took to forward the response.
8. I only had the US Marshalls telling me that I was not a danger to anyone, but I could not audio-record them, as I was in custody.
9. The email where the judges waited two weeks to report the threat is a powerful statement and they made no statement that they feared my emails, but **I need the protective order lifted to use at the 3020-a**
10. In US v. McCrudden, cr-11-061, Judge Hurely explains that how the US Marshalls responded to a supposed threat against a judge and the time it took the US Marshalls to contact the suspect are items to consider not detaining someone
11. In fact, Judge Hurely continues to explain that the time the judges took to forward the threat to the US Marshalls also shows the defendant was not a threat or a danger to the community.
12. Now, I have the US Marshalls' report to use, but the email from the judge (I will not say from whom because I do not if I could say the name, nor have I had an opportunity to view all evidence under the order) is under protective order.

13. I have emails and audio-recorded phone calls (from all the lawyers that I have had and including the current ones) where I explain what Judge Hurely said in the McCrudden case and I even sent the Judge Hurely's decision to each lawyer that I had and even to the current ones.
14. Betsy Combier said that Randi would have me fired if I mentioned the UFT in the lawsuit and that Randi Weingarten would be vindictive, like having Betsy placing my HIV status on her blog.
15. Then, there is the fact that the UFT threatened to expose my rape if I continued with my lawsuit
16. Judge Donnelly said, "just be happy that you have a job for now," which is in the transcript.

II. I need Your Honor to address the above issues

I realize that Your Honor has discretion, but I was precluded from litigating a meritorious claim of constitutional violations at the bail/detention hearing, as Your Honor said: "you will not get justice here" because there is evidence that my lawyer knew of and the AUSA withheld from the hearings.

The issue should have been litigated was the fact that I was not a danger to the community. My lawyer's conduct was, in any meaningful way, to prevented from presenting evidence at any bail hearing. **In fact**, I was precluded by my lawyers to obtain a new bail hearing, which is statutory right and, let's be honest, it is constitutional violation to deny me access to the court to litigate issues—which was what Mr. Silverman did.

My lawyers new of evidence that I was not a danger to anyone and failed to obtain the exculpatory evidence from the AUSA but waited until the AUSA sent the needed evidence two and half years later. So, my lawyers knew of emails sent from judges to the US Marshalls and the fact that US Marshalls wrote that I

was a nuisance and not a danger to anyone, which they wrote in their report to the court.

My lawyers knew and understood that what the US Marshall wrote in their report, the time the judges took to forward the email to the US Marshalls and Judge Hurely's decision in McCrudden echoes the previous two facts; these things were all needed to litigate the issue that I was not a danger to the community. After June 2, 2021, at the PSR interview, Mr. Silverman informed me that he had no idea why I referred to Judge Hurely.

Your Honor allowed Mr. Taylor, esq. to lie about the bail/detention hearing without me explaining.

Your Honor ignored the fact that AUSA Shaw told me to file a criminal complaint against my lawyers, which I did with AUSA Bensing, as I wrote in letters

I, in fact, found out that Your Honor is the person to present a habeas corpus petition too. Your Honor told me that I will not get justice in your courtroom.

III. Has Mr. Silverman informed the DOJ how the DOE/UFT retaliated against me by depriving me retro money

It has been months since I told Mr. Silverman about the crime of retro money, which was also told AUSA Bensing. If Mr. Silverman cannot inform the AUSA now or the AUSA ignores my criminal complaint to protect the UFT/Randi Weingarten/Judge Cogan (I know the AUSA has discretion but the AUSA already covered up the crime between Judge Cogan and the UFT, and my current compliant is part and parcel to the aforementioned

action) because, besides AUSA Shaw and AUSA Gold, I have numerous DOJ personnel outside of the 2d Cir. who told me what is being done to me is a crime and AUSA Bensing lied about Judge Cogan on February 4, 2019

Ms. Shakira Price was given her retro money after being detained in jail, which is the read given to me as why I would be paid retro money.

I heard the audio-recording of Randi Weingarten paying Judge Marrero, but I did not hear the audio-recording of Randi Weingarten attempting to bribe Ed Fagan, which Betsy Combier has, and this recording is not in discovery.

I request Mr. Silverman's financials because he has gone of his way to harm and deprive of everything constitutional right. In addition, I request all financials from each lawyer that I had.

I do not have any doubts that Mr. Taylor, esq. did not tell the DOJ what the DOE/UFT did to me is crime. I have so many DOJ personnel, from outside of the 2d. Cir., telling me it is a crime.

I am baffled by Your Honor's comment that my lawyers have worked hard for me because no one else sees that whatsoever.

Example:

Statements said to Your Honor	Your Honor's Reponses
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The Facts that have not changed

(1)I told Your Honor	Nothing	The Bail Reform
that under the Bail		Act is clear,
Reform Act allows		and evidence was
defendants to present		not presented to
evidence that was not		the court.
present prior to the		
court and could be		
presented to the court		
up until trial.		

(2)I told Your Honor	Nothing	Besides what I
that my lawyers knew of		mentioned above,
a report from the US		AUSA Shaw told
Marshalls saying that I		me to file a
was not a danger, but a		criminal
nuisance		complaint, which
		I did with AUSA
		Bensing

(3) Then, Your Honor	Your Honor became	
allowed Mr. Taylor to	enraged and said,	Same as the two
lie about the	"How you disparage	above
bail/detention hearing	Mr. Taylor..."	

(4)I asked Your Honor	Silence	The same as the
Mr. Silverman to		first two
address the fact of the		
Bail Reform Act		

(5) Mr. Silverman said	Your Honor answered,	The same as the
Mr. Celli's issue with	"So, Mr. Celli wants	first two
bail is better suited	you to file motions	
	that you cannot."	

for a habeas corpus
petition.

(6) Now, rule 52(b) is ??? I prayer that
the final way to Your Honor will
litigate the issue that provided me with
I was not a danger to relief from the
the community or constitutional
anyone, but a nuisance, violations, as Your
like the US Marshalls Honor promised the
wrote, the reason they Senate Judiciary
waited to come to get Committee and it is
me, and why the judges same issue that the
took two weeks to Supreme Court
forward the first requires of lower
email. courts, but I have
to for Your Honor's
discretion.

Just like the
Bail Reform Act,
rule 52(b)
allows
defendants to
litigate issues
that affected
their rights.

What happened at
the hearings is
still a crime
and my lawyers
were given to me
to protect my
rights,
according to
various DOJ
personnel
outside the 2.
Cir.

Conclusion

1 I would like to know how the DOJ and/or the court is going
2 to help me with this because it is within your (judge's or
3 AUSA's) discretion to help me or not.

4 I checked with many DOJ personnel about whether a motion
5 could have been place prior to trial or not, like the Bail
6 Reform Acts states, and everyone said, "yes, if there was
7 evidence not presented at any bail hearing"—wow, it is the same
8 as it is written in the statute, but Mr. Silverman told Your
9 Honor otherwise.

10 Your Honor, however, believes that I want my lawyers to
11 file things that they cannot, please explain because there
12 cannot be two realities and the DOJ told me that the Bail Reform
13 Act has not changed. What the DOJ told me about the Bail Reform
14 Act is the same as what I told Your Honor in person and in
15 writing. What am I missing? I would like to understand

16 Your Honor said that I could not seek justice for what
17 happened at the bail/detention hearing at trial and my lawyers
18 did not want to obtain a new bail hearing because they lied to
19 Your Honor and Judge Donnelly, but I have AUSA Shaw saying it is
20 a crime..

21 **1. Remedy for not being allowed to litigate not being a danger to**
22 **the community:** I need Your Honor to order the following
23 individuals to be present at my 3020-a hearing:

24 Magistrate Scanlon (clerked for Judge Katzman), Chief Judge
25 Brodie (Schumer judge), Judge Katzman (Schumer judge),
26 Judge Hurely, Judge Donnelly (Schumer judge), Magistrate
27 Bulsura, Judge Engelmayer (Schumer judge), Sen. Schumer—he
28 believes Randi [Weingarten] is like a sister to him and he

1 would do anything for her (in a video to AFT members) and I
2 have an email response from the senator that is under seal,
3 Judge Cogan, AUSA Brady, AUSA Bensing, AUSA Gold, AUSA
4 Shaw, AUSA Bensing, AUSA Karamigios, any AUSA that I spoke
5 to over the course of two years or I have emails from, US
6 Marshalls, Ms. Olvera, esq., Mr. Weil, esq., Ms. Gerlant,
7 esq., Mr. Hueston, esq., Mr. Taylor, esq., Mr. Silverman,
8 esq. Ms. Silverman, esq., Randi Weingarten, esq. or "evil
9 mob boss", and Betsy Combier, all present for my 3020-a
10 hearing **because** I need to present evidence as to why I was
11 denied all procedural safeguards in federal court, as it is
12 the only way to show that I was not a danger to the
13 community, like present evidence of US Marshall reports
14 that I was not a danger, but a nuisance. T

15 a. What I was prevented from litigating in federal court
16 by each lawyer that I had, I will need to litigate
17 the issues at the 3020-a because it will be all
18 related to the 3020-a proceeding. **The bottom line is,**
19 the Bail Reform Act of 1984 is clear on procedural
20 safeguards and then, the Supreme Court highlighted
21 the procedural safeguards, in US v. Salerno, 481 US
22 739, because the procedural safeguards were meant to
23 protect substantive rights of the accused, such as
24 liberty and impede the government from misusing
25 detention as a means to retaliate against the
26 accused, which is the defense given to me by the DOJ
27 and Your Honor would not allow me to have my own
28 defense of choice.

b. Having everyone that I mentioned in A is the only way
to present a defense at 3020-a that was denied to me
in federal court by my own lawyers

1 c. I have audio-recordings of my lawyers, but they
2 cannot be forced to attend

3 d. I have audio-recordings of DOJ personnel, but I can
4 try to subpoena under a certain doctrine—but this is
5 not a guarantee, Your Honor grants my request

6 e. I have audio-recordings of various law enforcement
7 agencies, but they cannot be forced to attend (I have
8 to find out about NYPD, since they work for NYC)

9 f. I have the transcripts, but the DoE cannot cross-
10 examine anyone

11 g. I believe I can have Randi Weingarten because NYC is
12 her original place of employment and, for sure, the
13 UFT Pres on down collects a UFT salary and a DoE
14 salary, so this makes them NYC employees too—Randi
15 said that the UFT is her home union, but we shall
16 see.

17 h. My lawyers had up until trial to present any evidence
18 not given to the court, which I cited in my motions
19 and at the ex parte conference with Your Honor
20 because it is a statutory right.

21 i. DOE can only force employees to testify at 3020—a
22 hearing and others have a choice, as this is my
23 understanding.

24 j. Your Honor did say, "you will not get justice here"
25 and now without the opportunity to litigate the fact
26 that I was not a danger to the community with proof,
27 from the US Marshalls wrote, that I was a nuisance;
28 then, I will not have hope.

k. My lawyers prevented me from obtaining exculpatory
evidence of my subjective intent and Your Honor
concurred with them, which is act of taking my will
from me.

1. My lawyers prevented me from presenting any meaningful defense to anything and Your Honor concurred with part of it and then, the judges aided my other lawyers, which took my will from me.
- m. My lawyers prevented me from litigate the fact the US Marshalls deprived me of a fair trial with their reports
- n. My lawyers prevented me from litigating that my confession was not voluntary and promised to put a suppression motion
- o. My lawyers prevented me from litigating AUSAs' misconduct and I have AUSA Gold saying AUSA Bensing did commit misconduct about lying about Judge Cogan and the UFT.
 - i. Somehow, according to Mr. Silverman, it would be an ethical violation if he placed the motion on the docket, but the 1st and 2nd Departments told me that it would be an ethical violation if Mr. Silverman did not to place the motion on the docket because they recognized the misconduct of the AUSAs too. In fact, I did not even say what AUSA Gold told me...all I did was state the facts
 - ii. There cannot be two realities
- p. The various issues under mandatory recusal which impeded me from litigating
- q. My lawyer prevented me from litigating the issue of recusal of the AUSAs
- r. My lawyer prevented me from litigating the issue that the AUSAs deliberately destroyed evidence, which is linked to AUSA Bensing's misconduct in court, the US Marshalls' threat, and other issues under seal

1 s. There are other issues that I was prevented from
2 litigating

3
4 **2. Remedy:** Judge Engelmayer, may I use the transcript (from the
5 April 16th ex parte conference) with my motions/letter under
6 seal at my 3020-a. I have the transcript and I have what Mr.
7 Silverman placed under seal, but I do not know if I need Your
8 Honor's permission to use them because I rather use the
9 official ones. **Please take Notice**, I have Mr. Silverman
telling me that I can use them

10
11 Your Honor allowed or you did not realize it, but Mr.
12 Silverman lie about Bail Reform Act of 1984 when he said
13 "it better that Mr. Celli file a habeas corpus," which Your
14 Honor eagerly responded by saying, "so Mr. Celli wants you
to files things that you cannot."

15
16 Bottom line is the Bail Reform Act of 1984 provides the
17 defendant to present evidence that was not presented to
18 court and this right is valid up until trial, which I
19 mentioned at the ex parte conference, and Your Honor did
not say anything.

20
21 Please check the transcript

22
23 **3. Remedy:** Your Honor asked the AUSA Karamigios to file a letter
24 with the court about the bail/detention hearing, I ask that
25 AUSA Karamigios do as Your Honor ordered.

26 **4. Remedy:** I request that there be a stipulation of that I was
27 not danger to anyone but a nuisance like the US Marshalls
28 wrote because I precluded from litigate the issue and my

1 lawyers knew of evidence that I was nuisance and not a danger
2 to the community, according to the US Marshall

3
4 **5. Remedy:** I request that the DoE be precluded from using
5 anything from this case because my lawyers prevented me from
6 exercising my statutory rights to present evidence that I was
7 not a danger to the community and prevented me from litigating
8 other issues too.

9
10 I am praying for a remedy that Your Honor can, within your
11 discretion, provide me because Your Honor promised to protect
12 individual constitutional rights at your senate confirmation
13 hearing. From watching Your Honor speak about your time clerking
14 for Justice Marshalls, I believe you are a person of your word.

15 I understand, moreover, that Your Honor could grant me
16 only one remedy listed, all remedies listed, or none, as it is
17 within Your Honor's discretion and I say this with Your Honor's
18 acknowledgment of constitutional violations, as you already told
19 once, "you will not receive justice here."

20 Lastly, AUSA Shaw told me that it was a crime not to
21 present evidence, known to the lawyers, to the court because
22 they are impeding the court from reaching a correct and just
23 decision, as the stated facts are needed to reach such
24 decisions. What AUSA Shaw said is seen in the Bail Reform Act,
25 in the Salerno decision, and other decisions by the Supreme
26 Court, but my lawyers tell me that "they can't do it" or "it
27 will harm you."—there is a disconnect.

1 It does not appear AUSA Shaw is lying to me because what she
2 said to me, I can read in the statute and in Supreme Court
3 decisions. I wonder who is lying...hmmm

4
5 I request a temporary injunction of any disciplinary decision on
6 criminal conviction because the record is not fully developed in
7 court and my employer does not have all the records under seal
8 to make a proper decision, as required by NYS law and I wrote
9 this to Judge Engelmayer and I knew he would ignore it, like
10 Randi paid Judge Marrero, which is the reason that I sent the
11 SAME documents to congress

12 Or wait until the appeal is done and if there is a new trial

13 I request that you and order anyone that has information or who
14 works for the UFT/AFT/DOJ and others to appear at my 3020-a
15 hearing

16
17 I request that the court order the DOE and the UFT to explain
18 why I was deprived of my retro money and that it had nothing to
19 do with retaliation. DOE is required to provide one under NYS
20 Law Art. 23-a and correction law 750 (somehow they are related
21 or the same but I do not have my computer to know for sure)

22
23
24 Another remedies:

- 25 1. Retro money
26 2. The name of the person at the DOE who denied me Retro money

27 Dated this 2nd of December, 2021.

28 INJUNCTIONSDNY CASE NO: - 25

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Lucio Celli, Defendant

I. For Ms. Atkinson

I request representation from the UFT on November 19, 2021

Atkinson is still a city employee and will be on payroll, for sure, close to retirement, so the city holds teachers accountable for administrative law, like break in service

Atkinson said it was "General Counsel's" decision that I was not entitled to retro

Ms. Norton worked at Strook, Strook, and Lavin

Judge Cogan with Randi Weingarten worked at Strook

Judge Cogan wrote briefs and motions for the UFT, which I asked Mr. Baranello to send to me and the House Judiciary Committee because he told me not to plead the UFT or he will dismiss my lawsuit and he did

*I have letters and audios from the DOJ
that I didn't have fair trial*

II. The need for Ms. Pestana's presence at the conference

I request that you, Ms. Pestana present on November 19, 2021, as a supervisor of all lawyers in the City of New York. I was denied retro payment because of what will be discussed on November 19, 2021.

Renee Campion (Commissioner of Labor Relations for NYC) and Alan Klinger, Esq. (of Strook, Strook and Lavin—like Judge Cogan and Ms. Norton) said that the CBA between the UFT and the DOE DID NOT alter:

1. Guess what, Mr. Becker (for the DOE and forgot his title) echoed what Ms. Campion and Mr. Klinger told me
2. I contacted Ms. Campion and Mr. Klinger because they knew and understood the construction of CBA, as they have firsthand knowledge
3. NYC Personnel Rules and Regulations: Rule 6.2.4 states: any such reinstatement effected no more than one year after such separation shall not constitute service—only 5 months that Ms. Atkinson said it was a break in service

4. NYS Labor Law 195.05—Mr. Caldwell provided Ms. Price with a leave for that same reason that he denied me.
5. Both 3 and 4 are mandatory subjects of negotiation under the Taylor Law
6. I have AUSAs who have told me that what the UFT and DOE did to me is retaliatory and colorable under Obstruction of Justice.
7. The UFT and DOE took monetary retaliation for exposing them and I have AUSAs saying what they done, if true, are crimes, which I am sending to the head of EDNY and SDNY—in the hopes that they deny me, as they were recommended to their position by Sen. Schumer, like all the other judges that I had
8. I emailed Sen. Schumer with plan of getting everyone on the stand
9. I have an automate email from Sen. Schumer's account
10. Mr. Baranello (DOE FOIL head) had the certified return receipts DOJ, and various members of congress and their committees
11. Once they deny me, I hope to file another compliant with the ethic committee—I know, it is discretion, but not when it is influenced and paid for by Randi Weingarten because I do have audio recording of AUSAs
12. I request, you must per NYS laws, provide me an answer as to why the city denied me retro money
13. Ms. Cook is a nice lady and I prefer that I do not have to audio record her—it would be easier if it were you or someone that I do not know
14. Ms. Cook, unlike you or any lawyer, does not have knowledge required to make proper decisions under the law and DOE legal...I rather not say because I plan on calling them as witnesses
15. My appeal should win my appeal because my claims are structural errors and require automatic reversal, but Randi has fixed it.
16. Ms. Cook is not prepared for November 19, 2021, as the DOE did not obtain 40 documents that are under steal
17. I did not plead guilty to anything, and transcripts have been altered, another reason that I complained to congress, and I can prove that the transcripts have omissions because I have audio recordings, which Mr. Baranello has one
18. I have injunction depending in federal court, but I believe a decision will occur prior to November 19, 2021 and a decision will be rendered by the DOE prior the court dealing with my motion
19. The DOE and the UFT are the case for what Ms. Cook wants to meet with me

§397 of the New York City Charter permits the mayor, on consultation with corporation counsel and the affect agency head, to delegate to any agency" responsibility for the conduct of routine legal affairs of the agency, subject to monitoring by the corporation council and the authority of the mayor, on recommendation of corporation counsel, to suspend or withdraw delegation

III. NYS Law

Ms. Cook, Ms. Pestana and I will follow the format from the state:¹

1. Article 23-A requires employers to evaluate qualified job seekers and current employees with conviction histories fairly and on a case-by-case basis.
2. NY Correction Law requires the following actions to occur:
 - a. Section 750. Definitions
 - b. 751 Applicability
 - c. 752 Unfair discriminations against persons previously convicted of one
 - d. Or more criminal offenses prohibited.
 - e. 753 Factors to be considered concerning a previous criminal
 - f. Conviction; presumption.
 - g. 754. Written statement.
 - h. 755 Enforcement.
3. Items that NYS Employers must consider when hiring or firing someone with convictions:

¹ This format applled to the decision making for my retro money to, but the doe cited that I was arrested and detained as the reason they were depriving me

- a. New York State's public policy of encouraging the employment of persons with prior convictions or convictions.
- b. The specific duties and responsibilities necessarily related to the license or employment sought.
- c. The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his ability to perform one or more such duties or responsibilities.
- d. The time which has elapsed since the occurrence of the criminal offense or offenses.
- e. The age of the person at the time of the occurrence of the criminal offense or offenses.
- f. The seriousness of the offense or offenses.
- g. Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- h. The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

IV. I request to review all documents and audio recordings with Ms. Cook and Pestana

This I need to provide Shannon Hamilton-Kopplin of the Senate Ethics committee how and what Sen. Schumer is helping the UFT/Randi/AFT and DOE to hide. I was able to get AUSAs to say crimes about certain things, but I was looking for "receivership" as an answer and this is the reason Mr. Silverman and Judge Engelmayer intimidated me

I would like the meeting streamed live and to meet with Ms. Cook in person

V. Retro Answer

Mr. Caldwell said he did not have to provide me with a written statement, and I am requesting that the DOE provide with one. Without me going into details, but the true reason is Mayor De Blasio and the Hobbs Act.

I am asking the court to force a statement, as well

VI. Timeframe for 3020-a

I see the hearing beginning in January. I would like the city to agree to streaming my hearing live.

I need documents from the UFT/Randi and etc to the DOE, the mayor, city council and others, which should be in the city's control

I need all this information to provide congress and the DOJ because I was denied my right to my own intent, to file additional complaint, and to show that Sen. Schumer is behind it

These are the judges that I have had, and I did not say anything about my plan, which began with an email to Sen. Schumer on 12/ 11/17:

Judge Donnelly, Judge Engelmayer, Judge Katzman, Magistrate Scanlon (Katzman), Chief Judge Livingston, Judge Lanier, Judge Brodie and a few more...they did and behaved the way I expected and similarly to what Randi told Judge Marrero to do (but I do not have that audio recording and it was not in discovery)

What they did to me was to help DOE/UFT/Randi Weingarten because I heard Randi pay Judge Marrero (Schumer judge) and I need to show the senate committee how and why

I have to send this out to court, but I will have an updated version on November 19, 2021

⊙ Law Dept's misconduct

- SP Ed
- APW/ Weed
- Knowledge of Judge Cogan's criminal conduct

How did the DOE know about my arrest before the US Mars
DOE cut off my healthcare

Lucio Celli
88 Cardner Road
Wappingers Falls 12590



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